

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, ex rel.)	
JASON SOBEK,)	CIVIL ACTION NO. 10-0131
)	
Plaintiffs,)	JUDGE TERRENCE F. McVERRY
)	
v.)	MAGISTRATE JUDGE
)	CYNTHIA REED EDDY
EDUCATION MANAGEMENT, LLC.,)	
et al.,)	
)	ELECTRONICALLY FILED
Defendants.)	

**JOINT MOTION TO EXTEND ADMINISTRATIVE STAY, TO CONTINUE THE
OCTOBER 20TH SETTLEMENT CONFERENCE AND THE
JOINT PROPOSED CASE MANAGEMENT ORDER**

AND NOW, come counsel for the United States of America, by its attorneys, David J. Hickton, United States Attorney for the Western District of Pennsylvania, and Paul E. Skirtich, Assistant United States Attorney for said district, and counsel for the Defendants, Laura E. Ellsworth, Esquire, who together submit their Joint Motion to Extend Administrative Stay, to Continue the October 20, 2014 Settlement Conference, and the Joint Proposed Case Management Order. In furtherance of this Motion, Counsel aver:

1. On August 13, 2014, this Court granted Counsels' Joint Motion to Extend the Administrative Stay and Motion to Continue, and ordered all parties to reconvene for a Status Conference and/or continuation of settlement talks. That stay and date were subsequently continued by this Court to other dates and, eventually, to a status conference for Monday, October 20, 2014, at 10:00 a.m., a Joint Proposed Case Management Order to be filed by October 16, 2014.

2. On October 8, 2014, in the case of United States, ex rel. Washington v. Education Management, LLC., et al. (Civil Action No. 07-461), the Honorable Terrance F. McVerry

granted both Counsels' Motion to Stay Pending Mediation and a Joint Motion to Appoint a Mediator. Subsequently, Judge McVerry has appointed the Honorable James Robertson to mediate the *Washington* case.

3. In light of the developments in the *Washington* case, Counsel for all parties in this case suggests that the best use of all resources is for this Court to continue all deadlines in this case for a period of thirty (30) days after the conclusion of the Mediation in the *Washington* case.

4. Counsel for the Relator does not oppose this Motion.

WHEREFORE, the United States and EDMC ask this Court to grant their Joint Motion to Extend the Administrative Stay and to Continue the October 20, 2014 Settlement Conference and Joint Proposed Case Management Order until a date thirty (30) days after the conclusion of the Mediation in the *United States of America, ex rel., Washington v. EDMC, LLC*.

A proposed Order accompanies this Motion.

Respectfully submitted,

DAVID J. HICKTON
United States Attorney
Western District of Pennsylvania

s/Paul E. Skirtich
PAUL E. SKIRTICH
Assistant United States Attorney
PA ID No. 30440
U.S. Post Office and Courthouse
700 Grant Street, Suite 4000
Pittsburgh, PA 15219
(412) 894-7418
(412) 644-6995 (fax)

JAY D. MAJORS
Attorney, Civil Division
U.S. Department of Justice
Commercial Litigation Branch
Post Office Box 261 - Ben Franklin Station
Patrick Henry Building, Room 9539
Washington, DC 20044
(202) 307-0264
Attorneys for the United States
of America

s/Laura E. Ellsworth
LAURA E. ELLSWORTH
JONES DAY
500 Grant Street, Suite 4500
Pittsburgh, PA 15219-2514
Counsel for EDUCATION MANAGEMENT, LLC

Dated: October 16, 2014

CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2014, a true and correct copy of the foregoing Joint Motion Extend the Administrative Stay and to Continue the October 20, 2014 Settlement Conference has been electronically filed and/or sent via U.S. mail, to the parties noted below:

Laura E. Ellsworth, Esquire
Anderson T. Bailey, Esquire
JONES DAY
500 Grant Street, Suite 4500
Pittsburgh, PA 15219-2514

Iden G. Martyn, Esquire
COZEN O'CONNER
The Army and Navy Building
1627 I Street, NW
Suite 1100
Washington, D.C. 20006

Christopher Casper, Esquire
JAMES, HOYER, NEWCOMER & SMILJANICH, P.A.
4830 West Kennedy Boulevard, Suite 550
Tampa, FL 33609

Andrew M. Stone, Esquire
STONE LAW OFFICE, LLC.
437 Grant Street, Suite 1806
Pittsburgh, PA 15219

s/Paul E. Skirtich
PAUL E. SKIRTICH
Assistant United States Attorney